

10 June 1977

Executive Registry

77-6437/4

NOTE FOR: The Director

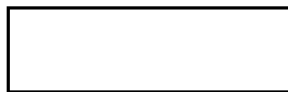
SUBJECT: Equal Employment Opportunity

The attached papers in Folder A provide background information on the DCI EEO Advisory Panel. Folder B contains the Panel's assessment of the Agency's FY 77 EEO Plan and a critique of the Panel's report by the Director, EEO along with a copy of the Agency's EEO Plan.

EEO of necessity involves affirmative action to make up for past deficiencies. By definition it involves some choices that from an objective management viewpoint may not be the best. Nevertheless, because of its overall importance, EEO goals must be pursued. The problems are encountered in attempting to do so in a manner which has the least disruptive effect on overall performance and efficiency.

I recommend you schedule an early meeting with the Director, EEO and the DCI Panel Chairman and the Panel to hear their views in more detail.

STAT



E. H. Knoche

Attachments:

ER 77-6437/1

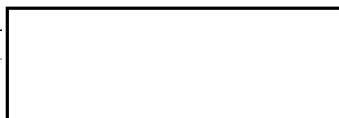
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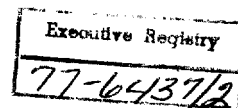
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EXECUTIVE REGISTRY FILE

P 1.2



P1.2  
17 May 77

8 June 1977

MEMORANDUM FOR: Director of Central Intelligence

INFO : Deputy Director of Central Intelligence  
Chairman, DCI EEO Advisory Panel

FROM : Omega J. C. Ware, Jr.  
Director, Equal Employment Opportunity

SUBJECT : DCI EEO Advisory Panel Assessment of EEOP

1. Action requested: None; for information only. The following comments are provided only to facilitate DCI and DDCI understanding of Advisory Panel comments with regard to the production of the Agency's FY 78 EEOP. However, it is recommended that the DCI meet with the D/EEO at his earliest convenience to discuss the Agency's Equal Employment Opportunity Program in order to place the operations and comments of the Advisory Panel in a more appropriate context.

2. Background:

Before commenting on the Panel's assessments, it is necessary first of all to clarify the nature of the EEOP and the somewhat unique process by which it is produced.

The EEOP is produced in compliance with Federal regulations. This regulation is supplemented by written and verbal guidance from the Civil Service Commission. In addition, there is frequent contact between members of the EEO Office of the Central Intelligence Agency and responsible officers in the Civil Service Commission to assure the effective production of an adequate EEO Plan for this Agency, and to avoid any problems deriving from the special nature of the Agency.

3. The DCI's EEO Advisory Panel:

The 17 May memorandum to you from the Chairman of the Panel provides you with a copy of the Panel's charter and also provides some insight into the kinds of issues that the Panel has explored, either at the request of the DCI, the DDCI or on the Panel's initiative. To summarize the Panel's creation and its current activity it may be noted that the Panel was created at a time when the Agency had little or no formal EEO planning or activity. Upon its creation in March 1975 it was

EXECUTIVE REGISTRY FILE P1.2

the sole EEO advisor and "analyst" of the DCI. Subsequently the Office of EEO was created with a full-time Director and staff, thereby relieving the Panel of much of the work that it did in support of the Agency and the DCI. Nevertheless, the Agency's management, the Director EEO and the Panel have determined that there remains a continuing need for the Panel both to advise the DCI of problems in the areas of equity and affirmative action and in support of some of the varied EEO programs operated or monitored by the Office of EEO. A major responsibility of the Advisory Panel in this latter regard is that of assisting in the development of the Agency's EEO Plan. The 17 May assessment provided the DCI by the Chairman of the Panel constitutes the Panel's first contribution to the FY 78 Plan. This contribution was requested by the Office of EEO and is being considered in the early stages of the EEO Plan's development. A copy of the Panel's comments was forwarded to the DCI and the DDCI since it is to these officers that the Panel is responsible.

#### 4. The EEO Advisory Plan for FY 1978:

The Agency's EEO Plan is the most important EEO document of this or any other Federal agency. In summary, this Plan is intended to provide the Agency's management, the personnel of the Agency and the Civil Service Commission with an assessment of the Agency's status with regard to its efforts to provide equity for all employees and potential employees of the Central Intelligence Agency. The Plan also assesses our efforts to fully utilize the skills, talents and training of current Agency employees. The Plan determines what has been accomplished in these two general areas over the past year, identifies and prioritizes new and continuing problems and outlines specific Agency plans for assaults on these problems in the coming fiscal year.

In format, the Plan has in the past tended to be somewhat complex and repetitive simply because the format was prescribed by the Civil Service Commission and all Federal agencies were obliged to adhere rather rigidly to it. The Agency's statement of its problems and presentation of plans to resolve them is also somewhat complex due to the decentralized nature of the Agency's personnel management and administration. Thirdly, there is some problem in developing and publishing the Agency's Plan which is a public document, yet must be true to the Agency's obligation to protect its sources and methods.

The FY 78 EEOP will be the third such Plan produced subsequent to the reorganization of the EEO structure of the Central Intelligence Agency. It is the policy of the Director, EEO to make the Agency's EEO Plans increasingly meaningful, objective-oriented and realistic and to involve as many elements of the Agency as possible in its development. For that reason, in accordance with the current schedule to produce the FY 78 EEOP, suggestions were solicited from the EEO Advisory Panel. Simultaneously, suggestions were also solicited from the Agency's Federal Women's Program Board, all Agency managerial components, other Agency advisory groups and from the Agency population in general. The responses to this initial request for assessments of the old Plan and suggestions for the new will be combined in the initial efforts of the Office of Equal Employment Opportunity to produce a new and meaningful Plan. As subsequent drafts of the new Plan are produced the Panel will provide one of its most useful functions for the Director, EEO and for the Director of Central Intelligence. It will serve as a key reviewer, representing Agency employees, to monitor our developing EEO Plan to help assure that the final document which the DCI submits to the Civil Service Commission is one that reflects his policy and Agency concerns.

In summary, the DCI should understand that the subject comments of the Advisory Panel, like those from other elements of the Agency, are being taken fully into consideration in the development of the new Plan. Further, the Panel, other advisory groups, the Agency's management and, of course, the DCI himself, will have more than one opportunity to review, revise and make recommendations affecting subsequent drafts of the EEO Plan prior to the time the final version is submitted to the Civil Service Commission.

5. Attached is a copy of the current EEO Plan of the Agency. In July the Office of EEO will prepare its quarterly assessment for the DCI and the DDCI of Agency progress toward the goals and objectives set in the current Plan. Obviously, the Director EEO and the specialists of the Office of EEO stand ready to discuss the EEO Program in its entirety or any specific program as such information or understanding is desired by the DCI or the DDCI.



Omego J. Ware, Jr.

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17 MAY 1977

MEMORANDUM FOR: Director of Central Intelligence

INFORMATION : Deputy Director of Central Intelligence  
Director, Equal Employment Opportunity

FROM :   
Chairman, DCI EEO Advisory Panel

SUBJECT : Assessment of the CIA FY 1977 Equal  
Employment Opportunity Plan (EEO)

1. Action Requested: None; for information only. The DCI EEO Advisory Panel was asked by the Office of Equal Employment Opportunity (O/EEO) for its assessment of the Agency's FY 1977 EEO Plan. Specifically, the Panel was asked to identify problems in the FY 1977 Plan and suggest objectives and actions which should be addressed in the FY 1978 Plan. (See Tab A.)

2. Background:

The Panel was afforded an opportunity to review the FY 1977 EEO Plan during the summer of 1976. At that time the Panel expressed its findings in a memorandum addressed to the DCI. (See Tab B.) The views of the Panel as expressed in that memorandum have not changed appreciably. The Panel still finds that there exists in the Agency:

- a. a low proportion of minority employees compared with the rest of the Federal government;
- b. a paucity of blacks and women at the upper grade levels;
- c. inequalities in the grade distribution based on sex and race differences among employees in all job categories; and
- d. a clear reluctance to schedule and pursue essential EEO goals in an immediate time frame.

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An impediment to Agency progress in equal employment as identified in the FY 1977 EEO is the decentralized structure of the Agency. The four Directorates and the DCI Area are progressing in their EEO efforts at varying rates of speed. The EEO attempts to express in chart format (which the Panel understands is the format required by the Civil Service Commission) the separate endeavors of each Directorate in meeting Agency EEO requirements. Unfortunately, the comparative effect that is to be achieved by the Plan format is lacking. One reading the Plan will find it difficult, in Part B for example, to compare the accomplishments of the Directorates without extracting the information concerning each Directorate and making individual Directorate charts. Such is also the case with Parts C and D of the Plan. The Panel recommends that the format of the Plan emphasize the decentralized nature of the Agency's EEO effort by setting the information out for each Directorate in a separate chart. This will enable the reader to obtain a clearer picture of the accomplishments, or lack of accomplishments, of each Directorate. Each chart should be preceded by a summary of the Directorate's efforts in key EEO areas, such as upward mobility, lateral entry, and recruiting. If a Directorate is below par in its EEO accomplishments, the summary should state the reasons why and express realistic efforts that will be attempted to bring the Directorate into line with Directorates that are achieving results. The Panel further recommends that a brief but comprehensive summary of the Agency's accomplishments and problems in EEO be presented at the beginning of the Plan. The summary could follow the present introduction, but should precede the Directorate charts.

Due to the decentralized nature of EEO efforts, the Panel finds the "target dates" for achieving Agency-wide "objectives", for certain Directorates, vague and in some cases nonexistent. Lack of definite target dates is inconsistent with management by objectives criteria. Target dates should be expressed where they can be realistically met. Where it is impossible for a Directorate to supply a target date, a statement that no target date can be presently determined should be made. The Panel further finds that the "action taken" statements which are provided by the Directorates present a vague, and at times conflicting and ambiguous picture of the Agency's efforts in EEO. The "action taken" statements should be definitive and specific in their content since these statements above all others provide a picture of the Agency's

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efforts in EEO. Where an objective has not been met, the "action taken" statement should be "action not completed" rather than "this action is continuing." The Panel finds that with respect to some objectives, action has not been undertaken although an "action is continuing" statement has been made. The Panel is keenly aware of the fact that the EEO is an unclassified public document. As such it is available to Agency critics as well as supporters. Thus, there is no substitute for accuracy where a publication which reveals Agency management efforts is available to the public.

The Panel reaffirms its position that the EEO for FY 1978 should focus on increasing the Agency's efforts in recruiting lateral entry and direct hire of minorities and women for the GS-15 and above levels. The FY 1977 Plan said very little about such efforts. The FY 1978 Plan should include a statement on the efforts and progress being made with regard to EEO within the Independent Offices and Staffs of the Agency. The Panel believes that leadership in providing equal employment opportunity should be exhibited within the ranks of top management. Therefore, an emphasis on EEO in the Executive Career Service, as well as in the top managerial ranks of the four Directorates, would not only set an Agency-wide example but would comport with President Carter's expressed concern that qualified women and minorities be identified for high level managerial positions.

**Signed**

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**Attachments:**

Tab A: Memo dtd 12 Apr 77 to EEO Advisory Panel  
fr EEO Plan Coordinator

Tab B: Memo dtd 30 Jul 76 to DCI fr Chm, DCI  
EEO Advisory Panel

**Distribution:**

- Orig & 1 - DCI w/Atts.
- 1 - DDCI w/Atts.
- 1 - D/EEO w/Atts.
- 1 - ER w/Atts.
- 1 - DCI EEO Adv. Panel w/Atts.

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12 April 1977

MEMORANDUM FOR: EEO Advisory Panel

SUBJECT : Equal Employment Opportunity Plan

1. The EEO Plan for FY 1977 is at the midpoint of implementation and Directorate commitments, for the most part, are progressing on schedule.

2. However, now we face the task of developing our new Plan for FY 1978. We need your assessment of the existing Plan to communicate your perception of the Agency efforts at promoting the concepts of equality of opportunity. Please review the current Plan (assume that most of this year's action items will be completed), identify problems, and suggest objectives and actions which should be addressed in the FY 1978 Plan.

3. The problems you see and your proposed actions should be directed to specific Directorates or Programs. A sample format is attached.

4. I will discuss your input with you, with Directorate EEO Officers and with Program Coordinators prior to inclusion in the new Plan.

5. Please send your response to OEEO, Room 5E47 Headquarters no later than 10 May 1977. Call me on [redacted] if you have any questions or need additional FY 1977 EEO Plans. I look forward to your assessment.

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[redacted]  
EEO Plan Coordinator



SAMPLE FORMAT

Full Utilization of Skills and Training

Problem - Only one Directorate (DDS&T) has stated procedures for employees to review and update their personnel files.

Action - Encourage all Directorates to develop such procedures.

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ER-76-9820

MEMORANDUM FOR: Director of Central Intelligence

INFO : Deputy Director of Central Intelligence  
Director, Equal Employment Opportunity

FROM : [REDACTED]  
Chairman, DCI's EEO Advisory Panel

SUBJECT : Annual Equal Employment Opportunity Plan

1. This paper represents an evaluation of fiscal year 1977 Equal Employment Opportunity Plan (EEO Plan) and recommendations which the Panel feels should be of major concern to you. Also, it concerns itself with four principle EEO problem areas which the Panel believes to require prompt and concerned attention. Our evaluation reflects that the Plan represents a prolix effort to circumvent the real problems and solutions concerning minorities and women in CIA.

2. Based on its research, the Panel concludes that the four principle EEO problems confronting the Agency in its search to provide equal employment opportunity to all its employees are:

a. The low proportion of minority employees at CIA compared to the rest of the Federal government.

b. The paucity of blacks and women at the upper grade levels.

c. Inequalities in the grade distribution based on sex and race differences among employees in all job categories.

d. Its clear reluctance to schedule and pursue essential EEO goals in an immediate time frame.

3. The stated goal of EEO in CIA is to have the Agency reflect the population mixture as observed in the external community, i.e., the Nation.

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5. These pertinent facts are representative of the goals that this Agency should be trying to achieve in the next two years. Therefore, the plans or specific program activities should lend toward achieving these goals. Whatever goals have been set in the 1977 plans are far too low and reflect no commitment. The 1976 performance reflects a lack of determination to achieve even the stated goals of 1976.

6. As written, we believe the EEOP presents (especially to an outsider) a picture of chaotic decentralization of EEO planning and a hodgepodge approach to solving EEO problems. The Plan depicts a multiplicity of dissimilar programs that appear to be completely uncoordinated at the top. We believe that you and the Agency will be placed in very poor light unless the EEOP clearly shows a "one-Agency" approach to problem identification and solving, with goals aimed at all components, containing realistic target figures and completion dates, and defining a control mechanism that will assure you and the Civil Service Commission that success or failure is accurately monitored.

7. We see the present EEOP as an instrument of diffusion and circumvention and in keeping with the efforts reflected in this society to deny equal opportunity to blacks, women, and other minorities since the 1954 school desegregation decision and the Civil Rights Acts of the 1960's. If this Agency is to launch itself into the 21st century, it needs to make 21st-century decisions.

/s/

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a.

Approved For Release 2004/03/17 : CIA-RDP80M00165A001100110005-6

DCI's EEO ADVISORY PANEL  
(As revised 4 January 1977)

I. Mission

- A. Advise and counsel the DCI, DDCI and D/EEO on Agency policies affecting equality of employment opportunity and affirmative action, recommending new policy or policy revision as appropriate.
- B. Detect and appraise the DCI, DDCI and D/EEO of problems affecting equality of opportunity and the Affirmative Action efforts of the Agency.
- C. Participate in the development of the Agency's EEO Plan providing recommendations, contributions, and review on an Agency, Directorate or component level as are appropriate.
- D. Monitor the staffing and operation of the Agency's EEO system and organization, making recommendations to the DCI, DDCI or D/EEO to improve effectiveness, responsiveness or sensitivity.
- E. Maintain close liaison with the Federal Women's Board of CIA.

II. Organization and Operation

- A. The DCI Panel shall be structured to include representatives from each of the Directorates and the Executive Service - not to exceed 15 members.
- B. The Panel serves at the pleasure of and will be subject only to the direction of the DCI, DDCI. The Panel shall have the authority to carry out its mission, and to consult with appropriate Agency managers, officials and employees. This authority may be granted or denied the Panel only by the DCI or DDCI.

- C. The Panel shall be governed by rules and established procedures to assure the security and confidentiality of all information to which it has access.
- D. The Panel will recommend new members to the DCI and DDCI for approval. All employees interested in Panel membership should notify the OEE0. They will be considered by the Panel as vacancies occur.
- E. The Panel will elect its chairperson. The term of the chair will be one year. No chairperson may serve more than two terms.
- F. Administrative support will be provided the Panel by the D/EEO. Such expenditures as the Panel may be authorized shall be included in the budget of the OEE0.
- G. Procedures shall be established and monitored by the OEE0 and the OP to assure appropriate recognition of EEO Panel members for Panel service.

### III. Procedure (Administrative)

Panel recommendations shall be forwarded directly to the DCI, DDCI and D/EEO. The DCI's action officer for all Panel recommendations shall be the Director, EEO. All staff work required as a result of the Panel recommendations shall be coordinated by the OEE0.

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b.

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1 August 1975

## CIAOP PROGRAM

The following is a recommended format for the organization and operation of the "CIA Opportunity Position Program."

### 1. Purpose

The CIA Opportunity Program (CIAOP) is established to provide both professional and non-professional employees the opportunity to obtain the experience and training needed to qualify for advancement. Selection is based on an individual's interest, ability, and desire for special opportunity and training.

Program Eligibility - The CIAOP is designed for:

- a. Agency employees who have achieved one year of acceptable service.
- b. Agency employees in clerical or technical positions which provide limited opportunity for advancement.
- c. Agency employees who lack the education or proven skills and experience to qualify for professional/technical positions.
- d. Agency employees whose careers have been systematically limited by reason of race, sex, age, or physical handicaps.

### 2. Administration

The program will be under the Director of EEO, and will be administered by the CIA Opportunity Panel. The Panel will consist of members from each career service who by their contributions to the Agency and Community show an understanding of human resource management and a willingness to attack all barriers to individual career growth. The panel will work closely with managers and supervisors in assisting them to plan, develop and implement the career growth of individual persons through training, counseling, work assignments and other techniques.

The Director of EEO in conjunction with the DCI and the Deputy Directors will select Agency line managers and supervisors as panel members.

3. Establishment of Opportunity Positions

In (month) the Panel will meet with the Deputy Directors who will have previously met with their component chiefs and respective career services to determine how many positions will be offered under the auspices of the Program during the calendar year. Component chiefs will be encouraged and assisted in developing new jobs. Career services will designate one out of every ten expected professional vacancies. The Panel will review the positions offered to ensure that they provide career opportunities.

Vacancy Announcements - Vacancy announcements will be issued on a semi-annual basis to afford any employee who is not registered the opportunity to enroll in the Program. Concurrent with the announcement, the Panel will contact each registrant to determine the registrant's interest in the positions and to notify each of them of the CIAOP Orientation Briefing.

CIAOP Orientation Briefing - The Panel and sponsoring component chiefs will conduct an orientation briefing to discuss the positions being offered. While the briefing will be open to everyone interested, attendance will be required for those registrants who have indicated interest in the positions being offered. At the conclusion of the orientation briefing, the registrants will be polled by the Panel as to their job preferences.

4. Establishment of a Register of Applicants

In (month) of each year, the CIA Opportunity Panel will issue an Employee Bulletin announcing open registration for anyone wishing to be considered for the CIA opportunity positions to be offered during that calendar year. To enroll for the CIAOP Register, the following actions must be taken:

- a. The CIAOP Registry form attached to the Employee Bulletin must be completed and forwarded to the Chairperson, CIA Opportunity Panel, by the applicant.
- b. The applicant will be contacted by a Panel member who will assist the applicant in completing a Registry Form.
- c. After discussion with the same Panel member, the applicant's supervisor will:
  - 1) Review and verify the information on the applicant's Registry Form;

- 2) Complete the Applicant Questionnaire;
  - 3) Discuss the Applicant Questionnaire with the applicant and obtain signature. If the applicant does not concur with the evaluation, the applicant may attach comments.
- d. The Panel will then review all of the registrants for the year to assure that:
- 1) they are eligible for the Program and, if not, the Panel will make recommendations to the appropriate level of management, defining areas for self-development so that the individual may qualify;
  - 2) the Supervisor's evaluation is consistent with fitness reports; if not, the Panel will attempt to resolve the discrepancies, based on a previously agreed upon set of guidelines.

#### 5. Selection Process

The Panel will provide the names by category of those interested in the CIAOP position to the sponsoring component chief, with the Registry form and the Applicant Questionnaire. The sponsoring component will then select which applicants will be interviewed. The component chief will make a first choice plus two alternates, if possible. The selectees will be approved by the Deputy Directors. The selection will then be submitted by the sponsoring component chiefs to the Chairman, CIAOP, within two weeks of receipt of the names. After review by the Panel, the names of the selectees will be forwarded to the Director of EEO for approval. The Panel will notify the applicants of the results. The name of the selectee will then be forwarded to the appropriate reassignment component for a reassignment date.

#### 6. Training Process

Within 30 days after the trainee is assigned to the new position, the supervisor will, in consultation with the employee, prepare an LOI including a tailored training plan which should reflect the nature, content, and extent of all training anticipated during the year. The supervisor is welcome to use the assistance of the Panel and its advisors in preparing the plan. Upon completion of the plan, the supervisor should be prepared to discuss his plan with the Panel. The Panel hopes to benefit by keeping abreast of the training approaches and techniques used throughout the Opportunity Program.

The initial training period will be one year. But because of the nature of each training discipline, and based on individual need, an extension or modification of this period may be necessary. This, however, will be considered on an individual basis, upon completion of the first year of training.

#### 7. Review Process

Supervisor's Quarterly Progress Report - Trainee's supervisors will be required to prepare a written progress report every three months. This report should include an evaluation of the trainee's capability of fulfilling the program. Upon completion of each report, the supervisor will discuss its contents with the trainee, obtain the trainee's signature, and forward the report to the Chairman, Director's Opportunity Panel.

Panel Quarterly Conference with Trainee - The Panel will meet with the trainee to discuss topics of mutual benefit and concern.

Panel Quarterly Conference with Supervisor - Each trainee's supervisor will meet with the Panel to discuss the trainee's progress, changes in Training Plan, any problems encountered, etc.

#### 8. Promotion Completion

The trainee should be considered for promotion during the training period based upon the same criteria applicable to other employees--i.e., job performance, competitive evaluation, and time-in-grade. The supervisor should evaluate the overall performance and potential of the trainee and should submit promotion recommendations through normal administrative channels.

Upon satisfactory completion of the approved program, the trainee will be permanently assigned in his new position.

#### 9. Termination

If at any time it becomes necessary to terminate training, the trainee will be reassigned by the CIAOP Panel.

Date \_\_\_\_\_

### CIA'S OPPORTUNITY PROGRAM REGISTER

A register is being created of all employees interested in job vacancies offered by the CIA Opportunity Program (CIAOP). Under this new concept, an employee interested in future CIOP vacancies need apply only once a year. The applications will be kept in a confidential central file maintained by the CIAOP Panel. As each CIAOP vacancy occurs, all employees on the register will be contacted by the Panel to see if they are interested.

Any person interested in being placed on the CIAOP register need only fill in the information on the form below and return it to Chairman, CIA's Opportunity Panel. A member of the Panel will contact you with further information.

-----  
TO: Chairman, CIA's Opportunity Panel  
Equal Employment Opportunity  
Room , Headquarters

I am interested in applying for the CIA's Opportunity Program.  
Please have a panel member contact me.

NAME \_\_\_\_\_

OFFICE \_\_\_\_\_ PHONE \_\_\_\_\_

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c.

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Executive Registry
76-810-1

4 June 1976

MEMORANDUM FOR: Chairman, EEO Advisory Panel

FROM : George Bush  
Director

SUBJECT : Administration of EEO Requirements in  
Contracting and Procurement

1. You submitted to the DCI a paper on "Administration of EEO Requirements in Contracting and Procurement." The response prepared by the Office of Logistics is attached.

2. I regret this tardy response, but it appears this was a victim of the transition between Mr. Colby and me.

  
George Bush

Attachment

8 JAN 1976

MEMORANDUM FOR: Deputy Director for Administration

SUBJECT : Administration of EEO Requirements in Contracting and Procurement

REFERENCE : Memo dtd 17 Dec 75 to DCI fm Chairman, EEO Advisory Panel, same subj.

1. This memorandum provides the Office of Logistics' (OL) comments on the reference.

2. Problems B.1 - B.5 describe a generic situation which is not generated by or unique to the Central Intelligence Agency (CIA). Countless articles in the Wall Street Journal and other publications have addressed the confusion existent in the Government-wide Equal Employment Opportunity (EEO) program and the inability of the Office of Federal Contract Compliance (OFCC) and the designated compliance agencies to perform inspections and monitor the enormous number of contractors doing business with the Federal Government. Recognizing that OFCC and its designated compliance agencies may not be performing all of the inspections or other monitoring of contractors that should be done, it should be noted that we do not have the resources to superimpose our own version of EEO enforcement on that of the Director, OFCC. Further, there is a question in the mind of the Office of General Counsel as to whether we have the authority to do so.

3. With regard to paragraph B.5, we have found through discussions with representatives of the Defense Supply Agency (DSA) and the General Services Administration (GSA) that "show cause" letters are issued to contractors when it is determined that a problem of noncompliance exists. Copies of the "show cause" letters are not distributed to other agencies. However, failure to correct problems discussed in the "show cause" letter could result in debarment, and notification of debarment is promulgated to all agencies.



SUBJECT: Administration of EEO Requirements in Contracting and Procurement

As we noted at our meeting with the EEO Panel, we might be able to arrange with GSA and DSA to advise us whenever a "show cause" letter is issued or withdrawn. Upon receipt of such information, we would then have to send copies of the "show cause" letter to each of our contracting officers. Notification of the cancellation or withdrawal of "show cause" letters would also have to be obtained and disseminated. However, informal discussions with Mr. Joe Hogan, Deputy Chief, Contract Compliance Division, DSA, and Mr. Ross Ballard, Deputy Chief of the Civil Rights Division, GSA, indicate that they do not feel that distribution of copies of the 400 to 500 "show cause" letters which are written by their agencies each year would be practicable because: (1) the great majority of their "show cause" cases would be cleared up by the time we received the information; (2) they would not, of course, apply to contractors who are not under the Department of Defense's (DOD) or GSA's compliance jurisdiction; (3) if a contractor does not correct the deficiencies cited in the initial "show cause" letter within the 30 days allotted, the hearing mechanism of OFCC is actuated; and during this somewhat lengthy process, there is a touchy legal question involving the concept of "due process," i.e., can the Government continue to deny him an opportunity to bid for Government business when he has not been found guilty? and (4) the majority of "show cause" actions result from unsatisfactory Affirmative Action Plans uncovered during the pre-award, on-site survey required for all contracts of \$1,000,000 or more - and we would, therefore, automatically be made aware of a contractor's state of noncompliance whenever we requested such a survey.

4. In the absence of a precise definition by the EEO Panel of the term "spirit of the law," I question the statement in paragraph B.6 which reads: "We find that the Agency's weakness . . . spirit of the law." As we have stated in the past, however, we in OL are committed to the goals of the Agency's entire EEO program, not just to that part which falls in the area of contract compliance; and we welcome any suggestions for improvement.

SUBJECT: Administration of EEO Requirements in Contracting  
and Procurement

5. Paragraph B.7 is essentially accurate in that the primary objective of our industrial contracts is not EEO but the acquisition of a needed product or service. There are many staff officers assigned to monitoring technical performance, a substantial staff of Industrial Security Officers responsible for monitoring compliance with security requirements, and a sizeable staff to handle contract audit matters. The attention given by the Agency to these contract elements and the allocation of resources to monitor these elements has developed over time and is, in our opinion, consistent with good contract management. The review of debarment lists and obtaining certifications of EEO compliance from contractors is also required and will be continued.

6. Paragraph B.8 refers to a lack of sufficient written policy or procedure. The intent of Procurement Note No. 75 is that contracting officers notify the Chief, Procurement Management Staff (PMS), OL any time a response to an RFP indicates that the offeror has a "show cause" letter outstanding against him (see Attachment 6 to the Procurement Note) or, for that matter, any time a question concerning EEO compliance on the part of a contractor or prospective contractor arises (paragraph 5 of the Procurement Note). The Procurement Note could be revised to make the procedure more explicit; but the most effective implementation of policy will be achieved by discussion through such media as the Procurement Policy Panel meetings and spot-checking contract files. PMS/OL is already committed to this. With regard to the communication gap between Agency contracting officers, there can be no such gap since the contracting officers for the National Programs came from the OL career service. These officers attend all Procurement Policy Panel meetings and receive copies of all directives on procurement matters. Their contracts include the same boiler plate as Agency contracts. It is true, however, that their delegation of procurement authority flows directly from the Director of Central Intelligence rather than through the Director of Logistics (D/L). It is also true that contacts with DSA and other compliance agencies on National Program matters are not handled through Agency mechanisms.

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7. Paragraph B.9 mentions fragmentation of resources involved in administering EEO compliance requirements. Under the Agency's concept of decentralized procurement, responsibility for compliance with the EEO program in contractual actions rests with the contracting officers, as does authority to enter into contracts, to administer contracts, and to settle contracts. However, in Procurement Note No. 75 (revised), PMS has been designated as the referral point for any EEO problems encountered in the contracting process and, in addition, serves as the D/L's policy coordination and review arm for matters related to procurement. The subject of contracting with minority business enterprises gets into different boiler plate articles and different procedures. Our contracts do include the required clauses, and minority business enterprises are given an opportunity to compete equally with other contractors. Lists of minority business enterprises are provided to our Procurement Division as they become available.

8. The recommendations of the Panel are addressed by number as follows:

a. Recommendations 1 and 2 are acceptable if they are modified to recognize the exceptions provided in the Executive Order, such as, for contracts under \$10,000 and contractors with fewer than 100 employees. The Agency also must reserve the right to contract without regard to EEO when operational or security requirements dictate. We also have some problem with ascertaining how to mandate compliance with the "spirit of the law."

b. With regard to recommendation 3, we have already made a substantial effort to "beef up" our policy and procedures and will continue to undertake additional review and revision where necessary.

c. We concur fully with recommendation 4.

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d. On recommendation 5, the Director of Logistics, as Senior Contracting Officer for CIA, has the authority and responsibility for implementation of EEO contract administration. The day-to-day implementation is necessarily done by the contract teams with guidance and monitoring by PMS.

e. Recommendation 6 gets into the area of minority business, which we view as a subject separate and apart from EEO, but here again we are open to any suggestions anyone may have to offer.

9. In conclusion, we continue our commitment to the goals of EEO and, within the limits of our resources, will do our best to implement any recommendation approved by management.

10. We wish to express our appreciation to the Director's EEO Panel for their helpful thoughts and suggestions and commend them for their overall efforts.



Michael J. Malanick  
Director of Logistics

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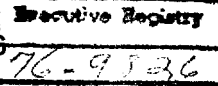
Atts  
Reference  
Procurement Note No. 75

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13 August 1976

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM : [REDACTED]  
Chairman, DCI EEO Advisory Panel

SUBJECT : Centralized Personnel Management

### I. General

The DCI's EEO Advisory Panel believes after an extensive study and considerable discussions that the CIA will continue to lag in its equal employment opportunity commitment for years to come unless a centralized personnel management system or a reasonable facsimile is established. The Panel also finds that inequalities in grade distribution are closely related to the present decentralized system of career management in the CIA.

The EEO view aside, the Panel is equally convinced that a centralized personnel management system will result in increased efficiency, cost savings, enhanced employee morale, and accountability. Our conclusions result in part from our review of the centralized personnel systems in the Department of State, FBI and NSA, and also, discussion of a number of issues with their, as well as CIA's, responsible officers. The Panel identifies in Section II a number of major problems as barriers to the Agency's Affirmative Action goals of providing equal employment opportunity to all employees. To assist you in solving these problems the Panel makes certain recommendations in Section III.

### II. Problems

#### A. Hiring

Recruiting is performed by both the Office of Personnel and the various components. Because recruitment requirements are not specific enough, recruiters forward more applications than necessary, e.g., [REDACTED] professional

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applicants in 1975 for [ ] new EOD's. By contrast, when an office does its own recruiting, it merely instructs the Office of Personnel to place the applicant in process, which does not ensure that EEO standards with regard to race, sex, national origin, religion, and age are met. A decentralized system of this nature does not ensure the hiring of qualified applicants outside the hiring component.

#### B. Career Management

The Panel finds a complete absence of centralized career management in the CIA. Each Directorate has its own personnel management handbook which reflects differences in philosophy, policy, and procedures. This situation leads to inequities in the grade distribution by race and sex, lack of selectivity in assignments and training, differences in performance evaluation criteria, and locks employees into Directorate or narrower career fields than necessary or desirable.

#### C. Promotions

There is no centralized system of promoting personnel. Current overall statistics prove that white males have been promoted higher and more rapidly to the detriment of minorities and women. The system of slotting prevents minorities and women from being promoted above a certain grade. Career panel criteria and procedures within individual components are as diverse as the personnel rating worksheets by which people are ranked. Women and minorities placed in higher slotted positions are not promoted to the higher grade within 90 days as required by the Civil Service Commission.

### III. Recommendations

The Panel believes that the lack of accountability in the Agency's present personnel management system is the result of a fragmented staff structure, and that successful systems execution depends on clearly defined relationships and chains of command. It therefore recommends:

The Agency's personnel management system be centralized, and at a minimum the following should be accomplished (order not relevant):

1. Equal opportunity in the hiring process.
2. Standardized personnel practices.
3. Standardized career management panel policy and procedure.
4. Endorcement of 90 day rule as defined by the Civil Service Commission.
5. Centralize career counseling for all employees.
6. A mechanism to ensure that training is afforded for all qualified employees.
7. Provisions for "Lateral Entry" of minorities and women.
8. Reduction in "time-frames" for processing new EOD's.
9. Written qualifications for all job requirements to enhance recruitment of qualified minorities and women.
10. Procedures to ensure that the Director, Equal Employment Opportunity be involved in recruitment, placement, and promotion of minorities and women.
11. Career management along functional rather than Directorate lines.

IV. The Panel is prepared to discuss this subject in more detail at your convenience.

Chairman, DCI EEO Advisory Panel

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Willie S. Griggs v. Duke Power Company, Supreme Court of the United States, March 8, 1971

This is the landmark decision bearing upon personnel testing and selection. It states that "...Congress has placed on the employer (in the Civil Rights Act of 1964) the burden of showing that any given requirement must have a manifest relationship to the employment in question."

The decision further states, "Nothing in the Act (Civil Rights Act of 1964) precludes the use of testing or measuring procedures; obviously they are useful. What Congress has forbidden is giving these devices and mechanisms controlling force unless they are demonstrably a reasonable measure of job performance. Congress has not commanded that the less qualified be preferred over the better qualified simply because of minority origins. Far from disparaging job qualifications as such, Congress has made such qualifications the controlling factor, so that race, religion, nationality, and sex become irrelevant. What Congress has commanded is that any tests used must measure the person for the job and not the person in the abstract." (Emphasis added.) This means that job analysis even for promotion is vital.

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23 February 1977

MEMORANDUM FOR: Acting Director of Central Intelligence

FROM :   
Chairman, DCI EEO Advisory Panel

SUBJECT : Elaboration on Panel Recommendations re Vacancy  
Notices and Personnel Auditors .

REFERENCE : Memo for DCI dtd 8 Nov 76 fr Chm, DCI EEO Advisory  
Panel; subj: Career Management of CIA Employees

76-10467  
p-1.2

The following includes the Panel's elaborations on recommendations #6 and #8 contained in Reference:

1. Creation of a Central Repository for Vacancy Notices

We presently have information in the Agency in both ADP as well as paper form; information essential to the reassignment and career development of Agency personnel. Essentially, this information embodies vacant positions (vacancy notices), the distribution of occupational specialties (position control register), and the developmental profiles for career specialties in Agency employment (Part II of the PDP).

This information could be assembled, stored, colated, and retrieved in a straightforward ADP system. In other words, the system would be computer-supported; the data base would be on-line with a simplified interactive and free text query capability. It would be maintained and updated by the Office of Personnel with remote access terminals in assigned locations in the Headquarters building and specially identified local Washington area locations.

The system as proposed would allow employees and career management officers the following services on an on-line, real time basis:

a. In consultation with the career management officers, employees would be able to identify existing vacancies for their occupational specialties throughout the Agency.

b. Employees would be able to identify the distribution of specified occupational specialties in the Agency.

c. The developmental training for the various career tracks of these occupational specialties would be available for counseling and career planning for employees, supervisors, and career management officers.

The proposed system would permit timely promulgation of vacancies as they occur. It could also be self-monitoring by reviewing and querying the validity of existing vacancy notices on a periodic basis. The system could be entirely current as an adjunct to the position control register which is presently computerized. Furthermore, the system would eventually allow simple expansion to include specific career tracks in each occupational specialty as they are developed by each career subgroup.

The availability of such a system to career management officers, supervisors, and employees would make career counseling Agency-wide in its scope and realistic in identifying options. For example, a GS-9 Electronic Technician presently pursuing college studies toward a degree in economics desires to orient his after-hours college program to place him, on receiving his degree, in the most favorable position for employment as an economist with the Agency. The system as proposed would reveal the extent to which the Agency employs economists and identify those Agency components employing economists. This would allow him to find his academic studies by interviews with the identified components. Follow-on development of the proposed program may include the storage of career tracks and employee-related information.

The Panel believes that the proposed system could play an important role in the enhancement of morale by seeking a more dynamic role in career management and it would also enable management to realize improved utilization of skills and talents of their respective employees.

## 2. Establishment of an Audit System of Agency Career Management

To assure compliance with statutory requirements concerning the use of allocated fiscal and materiel resources, the Agency operates an extensive and thorough audit system. Legislation and Executive Orders over the past fifteen years have increasingly applied these same concerns to the management and utilization of Federal Government personnel. The growing climate of personnel reduction and budget tightening make such concerns in the utilization of our human resources all the more imperative and attractive.

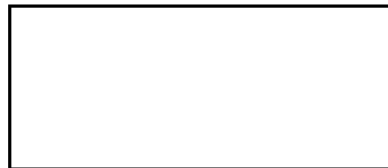


One means of insuring compliance with statutory EEO requirements and carrying out the thrust of Presidential direction in personnel development would be to establish a similar audit mechanism for Agency management of its human resources -- to create, in effect, a Human Resources Audit Staff.

Such a Staff need not be large, and should be composed of officers in grades GS-12 through GS-15 possessing significant experience in personnel management and career development. It should function across all Directorates of the Agency, perhaps as an adjunct to the Director's Executive Staff.

Essentially, the function of the audit staff would be to review with management the development and selection for advancement of their employees, and to assure that opportunity for career enhancement is operationally equal for all.

The proposed audit staff would not be limited to minority and women personnel since the ultimate purpose of auditing human resource use is to certify the sound management of all personnel essential to Agency efficiency and effectiveness.



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Approved For Release 2004/03/17 : CIA-RDP80M00165A001100110005-6

31 March 1977

MEMORANDUM FOR: Deputy Director of Central Intelligence

STAT FROM :   
Chairman, DCI EEO Advisory Panel

SUBJECT : Elaboration on Panel Recommendation re  
Establishment of a Biennial Career  
Enhancement Profile

REFERENCE : Memo for DCI dtd 8 Nov 76 fr Chm, DCI  
EEO Advisory Panel, subj: Career  
Management of CIA Employees

The following includes the Panel's elaborations on  
Recommendation #7 contained in Reference:

Establishment of a Biennial Career Enhancement  
Profile

Effective career management includes identifying specific future prospects for an employee in terms of his/her past performance and present potential. Lacking an Agency-wide career counseling program for all employees, and noting the need to fully realize the benefits of the program for Full Utilization of Skills and Training (FUST), we therefore recommend establishing a biennial career enhancement profile for all employees.

This profile should be developed at the employee's initiative and jointly reviewed by the employee and the supervisor with guidance by the CMO. Because it is neither feasible nor desirable to attempt long term and explicit career planning for each employee, a proposal such as this should be focused on a relatively short but highly visible timeframe; i.e., two years. Longer time frames in career planning lend themselves to ambiguity and non-fulfillment.

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The career enhancement profile should include at least three aspects -- the position to which the employee aspires (or desired training), training and/or assignments necessary to maintain or increase present job skills, and training and experience required for advancement. The supervisor and the CMO would monitor the employee's progress during the time period of the profile and would provide guidance and counseling when necessary. The proposed profile can also be used by the personnel audit group as a check to see if the employee has been properly assigned, evaluated and counseled.

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